

12

Notice of Allowability	Application No.	Applicant(s)	
	10/002,864	HOFFMANN ET AL.	
	Examiner	Art Unit	
	Yelena G. Gakh, Ph.D.	1743	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Interview of 05/05/05.
2. ☒ The allowed claim(s) is/are 1,9 and 12-41.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>05/09/05</u>. 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
|---|---|

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Christopher M. Goff on 05/05/05.

The application has been amended as follows:

Claim 1. (Currently amended) ~~A one component Karl Fischer reagent comprising iodine and a base comprising imidazole[[,]] and a substituted imidazole wherein the substituted imidazole has the general formula:~~

~~structural formula~~

~~wherein R and R¹ are independently selected from the group consisting of hydrogen, phenyl, and a monovalent substituted or unsubstituted saturated or unsaturated hydrocarbyl moiety having from 1 to about 4 carbon atoms which may or may not be interrupted with hetero atoms, and R² is phenyl, a fused benzo ring, or a monovalent substituted or unsubstituted saturated or unsaturated hydrocarbyl moiety having from 1 to about 4 carbon atoms which may or may not be interrupted with hetero atoms; and wherein the molar ratio of imidazole to substituted imidazole is from about 0.3:2 to about 2:0.3 and wherein the reagent is suitable for use as a one component reagent in volumetric Karl Fischer titrations.~~ A one component Karl Fischer reagent having increased stability and homogeneity comprising iodine and a base comprising imidazole and a substituted imidazole, wherein the substituted imidazole is selected from the group consisting of 2-methylimidazole, 2-ethylimidazole, 2-propylimidazole, 2-butylimidazole, 1,2-dimethylimidazole, 1,2,4-trimethylimidazole, and 2-phenylimidazole;
wherein the molar ratio of imidazole to substituted imidazole is from about 0.5:1.5 to about 1.5:0.5; and

wherein the reagent is suitable for use as a one component reagent in volumetric Karl Fischer titrations.

Art Unit: 1743

Cancel claims 2-8 and 11;

In claims 38 and 39: change [24] to -- 28 --;

Cancel claim 42.

2. Claims 1, 9 and 12-41 are allowed. The new numbering of claims is 1 through 32.

The following is an examiner's statement of reasons for allowance: the examiner was convinced by the applicant's arguments regarding increased stability and homogeneity of Karl Fischer reagent comprising imidazol and specific 2-imidazol derivatives in specific ratios recited in claim 1, because such combination prevents formation of imidazolium sulfate and extends the life of the reagent, which is not recognized in the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yelena G. Gakh, Ph.D. whose telephone number is (571) 272-1257. The examiner can normally be reached on 9:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jill A. Warden can be reached on (571) 272-1267. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

5/9/05


YELENA GAKH
PRIMARY EXAMINER